

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>Criminal Case No. 2:14-cr-00010-2</b>
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>JAMES SURRETT,</b>	)	<b>By: Hon. Robert S. Ballou</b>
<b>Petitioner.</b>	)	<b>United States Magistrate Judge</b>

This matter is before the court upon appointed counsel's motion to withdraw from representation. James Surret had filed a pro se motion to vacate, set aside, or correct sentence pursuant to 28 U. S. C. § 2255, and the court appointed the Federal Public Defender pursuant to Standing Order 2015-5 to help Petitioner identify any potential claim under Johnson v. United States, \_\_\_ U.S. \_\_\_, 135 S. Ct. 2551 (2015). The Federal Public Defender has since filed a notice that Petitioner's case is not affected by Johnson, she has nothing to add to Petitioner's pro se § 2255 motion, she will not be filing further pleadings in this matter, and she seeks permission to withdraw. Finding it appropriate to do so, counsel's motion to withdraw is **GRANTED**, and Petitioner shall continue to prosecute the § 2255 motion pro se.

It is so **ORDERED**.

Enter: June 8, 2016

*/s/ Robert S. Ballou*

Robert S. Ballou  
United States Magistrate Judge